GEORGE by the Grace of GOD, of *Great Britain*, *France* and *Ireland* King, Defender of the Faith; To Our Lovits, Macers of Our Court of Justiciary, Messengers at Arms, Our Sheriffs in that Part, conjunctly and severally, specially constitute, Greeting: FORASMUCHAS it is humbly meant and shown to Us by Our Right Trusty *William Grant* of *Prestongrange*, Esq; Our Advocate, for Our Interest, against *Archibald Stuart* of the City of *Edinburgh* Merchant and late Lord Provost of the said City: THAT WHEREAS, by the Laws of this and all other well governed Realms, *all Neglects of Duty*, and *Misbehaviours* of Persons employed in Offices and Places of publick Trust; and all Violations of the Trust and Duty of such Offices, *are Crimes* of a high Nature, and severely punishable; and the publick Justice of the Realm requireth a vigorous Prosecution of such Offenders, *especially* when such *Neglects* of Duty and *Misbehaviours* are incurred by the *chief Magistrate* of any *great* or considerable *City*, in a *Time* of *publick Danger* and *open Rebellion*; *and particularly* by an Act made in the fourteenth Parliament of King *James* the Second of *Scotland*, Chapter seventy sixth, intituled, *The Punition of negligent Officiars*, " *It is Ordained and Determined*, That if any of the King's Officiars or Sheriffs, Mayors, " Bailfies, Crowners, Serjeants, *Provosts of Burghs*, and their Ministers both to Land and to Burgh, be found *faulty* " or *negligent* in the *Execution* of *their Offices*, and it may be *lawfully proved* on him, or *notourly kend*; if the said " Office pertains to him in Fee and Heritage, he shall tyne his Office, and the Profit thereof for an Year and a Day, " and to be punished by the King in his Person and Goods after the Quantity of his Trespass; and if his Office pertains " to him not in Fee and Heritage, he shall tyne his Office for all the Times he has it, and to be punished in his Per- " son, after the Quantity of sick Trespass, at the King's Will." YET TRUE IT IS AND OF VERITY, That the said *Archibald Stuart* of the City of *Edinburgh*, Merchant, and late Provost of the said City, is Guilty, Actor, or Art and Part of the said Crimes, or one or other of them, aggravated as aforesaid; IN SO FAR AS He being Lord Provost of the City of *Edinburgh* in the Year One thousand seven hundred and forty five, *when* a most bold, desperate, wicked and unprovoked Rebellion was raised and carried on against Us within this Realm, by a large Body of armed Traitors, headed by the Eldest Son of the Pretender to Our Crown, and assisted with Troops and Money from Our Enemies abroad, and at such a Juncture, it being his Duty, as the chief Magistrate of the said City, and Our Lieutenant therein, having Authority to command the military Force of whatever Kind within the City, to have exerted himself with Fidelity, Vigilance and Zeal, for opposing the Progress of the Rebellion, by all lawful Methods in his Power, and particularly for preserving the City intrusted to his Care from falling under the Power of the Rebels, or becoming a Prey to them, He the said *Archibald Stuart* was grosly faulty or negligent in the Execution of his said Office and Duty on so important an Occasion, in manifest Violation of the Trust and Duty of his Office: *And particularly* was thus *Guilty* on the Fifteenth and Sixteenth Days of *September*, in the Year of Our Lord One thousand seven hundred and forty five, and upon several other Days and Times in the said Month of *September* and the Month of *August* preceeding, within the said City of *Edinburgh*, where he was Resident for the Time. AND MOREOVER, the said *Archibald Stuart* was not only *faulty* or *negligent* in the Execution of his Office, and notoriously known to have been such, but was guilty of Malversations and counteracting the Duty of his Office, in such an Exigency, in many Instances, and particularly amongst others, in these following, *First*, That whereas the Preservation of the City of *Edinburgh* from falling into the Hands of the Rebels was of great Importance to that City itself, and to Us and the Kingdom in general, and the Care of it especially incumbent on the Lord Provost for the Time being, and ought to have been lookt after with the utmost Attention, Zeal and Vigour in such an Exigency, as when the Rebels got to the Southward of the Body of our Troops under the Command of Sir *John Cope*, of which Advices came to *Edinburgh* in the latter End of *August* One thousand seven hundred and forty five, from which there was Reason to fear that the taking of that City would be attempted by the Rebels, and to hope that our Army might soon after come to its Relief: Yet in these Circumstances, he the said *Archibald Stuart*, then chief Magistrate, and sole military Governor of that City, did nothing of his own Accord towards providing effectually for the Defence thereof; and on the contrary, every Measure for that Purpose proposed and prest by the honest Zeal of others of the then Magistrates and Council, and of many of the Citizens and Inhabitants, instead of being heartily encouraged and promoted by him the Provost, were by him thwarted and retarded, or else absolutely refused or declined; and in this Manner it was that he received a Proposition made to him in the latter End of *August* One thousand seven hundred and forty five, for raising a *Regiment* of One thousand Men, by voluntary Subscription, for Defence of the City; against which he formed Objections on account of the Expence, and affected Doubts concerning the Legality thereof. And *Secondly*, He treated in like manner another Application made to him in the Beginning of *September* One thousand seven hundred and forty five, by a Number of Gentlemen or Citizens, for Leave to associate themselves, under his chief Command, as *Volunteers* for the Defence of the City, and Service of Our Government; and after his Objections to the Legality of that Measure were over-ruled, he would not suffer it to be published or given out that he *heartily approved*, but barely that he *acquiesced* in that Measure; and yet his Reluctancy or Aversion to it, or Uneasiness under it, continued to discover itself on frequent Occasions, and particularly by the cold, if not the rude Manner in which he behaved towards those *Volunteers*, consisting of a Number of very respectable Gentlemen and Burgesses, when he went to a publick Meeting of them in the New Church Isle of *Edinburgh* to name their Captains. *Thirdly*, That in like manner, through the Misbehaviour of the said *Archibald Stuart*, when certain Repairs of the *City Walls*, and other Works for making it defensible for some Time, against an Enemy who had no Artillery, and were very unskilful in making Sieges, had been proposed and advised, amongst others, by the now deceast and famous Mr. *Colin Maclaurin*, and were ordered by the Council of the City of *Edinburgh* to be made, the Execution whereof was chiefly incumbent on the Lord Provost for the Time being, yet the same was carried on very slowly and imperfectly, notwithstanding frequent Remonstrances and Complaints made by divers of the faithful and zealous Inhabitants; and as late as *Sunday* the Fifteenth of *September* One thousand seven hundred and forty five, when the Rebels were marching to and were come within a few Miles of the City of *Edinburgh*, he the said *Archibald Stuart* refused to give Orders for loading the Cannon planted upon the City Walls, and about the same Time he refused to apply for some of the Sailors from on board one of Our Ships of War, for managing of those Cannon, when he could not otherwise be provided of fit Persons to act as Gunners. *Fourthly*, That about the same Time, he the said *Archibald Stuart* refused to listen to, or to follow several salutary Propositions that were made and pressed by well affected Inhabitants, for the greater Safety and better Defence of the City, such as, that the *Train'd Bands*, consisting of a promiscuous Number of Burgesses, whereof many were known to be disaffected, should be laid aside, as had been practised during the Rebellion in the Year One thousand seven hundred and fifteen, and that Arms should only be trusted in the Hands of such as were known to be well affected, and that a general Search for *Arms* should be made within the City, and that a Number of the ablest bodied Men of the Tradesmens

Servants ſhould be employed and armed for aſſiſting to defend the City when it ſhould be attacked, upon the Encouragement of a Guinea to be given to each of them; towards defraying which Expence, an Offer was made to the ſaid *Archibald Stuart*, on the Part of the Volunteers, to have raiſed or advanced the Sum of Five hundred Pounds *Sterling*. *Fifthly*, That the ſaid *Archibald Stuart* misbehaved himſelf in like manner, in reſpect of the *Succours* that were brought at the Time aforeſaid from the Country in the Neighbourhood of *Edinburgh*, conſiſting of Numbers of well affected and zealous Subjects, under the Conduct of Gentlemen of known Loyalty and good Affection, who came and voluntarily offered their Service to aſſiſt in defending the City of *Edinburgh* without any Fee or Reward, upon that dangerous and preſſing Occaſion, the Approach of the Rebels to that City; but theſe very ſeaſonable and laudable Offers were by the ſaid *Archibald Stuart* very coldly received and ill treated: For Inſtance, he propoſed to Sir *Robert Dickſon* of *Inveresk*, who came to *Edinburgh* upon *Sunday* the Fifteenth Day of *September*, One thouſand ſeven hundred and forty five, from *Muſſelburgh* with about *One hundred and fifty* Volunteers, to offer their Services for the Purpoſes aforeſaid, that theſe Men ſhould enliſt themſelves for three Months as Soldiers in the *Edinburgh* Regiment; a Propoſition which, inſtead of being calculated ſincerely to provide for the better Defence of the City, could be no otherwiſe received by thoſe Volunteers, than as an Inſult and Diſcouragement to their Zeal, who being Tradeſmen or Husbandmen, did not mean to leave their Occupations, and enliſt themſelves as Soldiers for Hire, but had bravely offered to ſerve *gratis*, in the then preſent Exigency, which could not laſt above a few Days, before the End of which the City of *Edinburgh* muſt either have been relieved or ſurrendred. *Sixthly*, That on the Morning of *Monday* the Sixteenth of *September*, One thouſand ſeven hundred and forty five, the ſaid *Archibald Stuart* received a *Meſſage* from the Camp of the Rebels by *Andrew Alves* Writer to the Signet, importing that the City of *Edinburgh* would be ill treated by them, unleſs it ſhould be readily or ſpeedily ſurrendred, being a Meſſage to the ſame Effect with that contained in a Letter from the Pretender's Son, bearing Date from his Camp that ſame Day, addreſſed, *To the Lord Provoſt, Magiſtrates and Town-Council of Edinburgh*, and which Letter was thereafter that ſame Day delivered; and yet he the ſaid *Archibald Stuart* did not immediately commit the ſaid *Andrew Alves* to Priſon, for bringing or delivering to him ſuch Meſſage, neither did he give Notice to any other of Our Officers Civil or Military that he had received ſuch Meſſage. *Seventhly*, That upon the ſame *Monday*, the Sixteenth of *September*, One thouſand ſeven hundred and forty five, about Three of the Clock in the Afternoon, he received a *Petition* from certain of the Inhabitants of the City who oppoſed the Defence thereof, and inſiſted to have a *General Meeting* called of all the principal Inhabitants to conſult what was proper to be done, and he accordingly held and preſided in a Meeting in the New Church Iſle in the Afternoon of that ſame Day, upon the ringing of the Fire-Bell, which was the appointed Signal for the Volunteers to repair to their Alarm-Poſt, the Conſequence of which was, that few or none of thoſe Volunteers, who conſiſted of a Number of the moſt ſubſtantial and beſt affected Burgeſſes, were or could be preſent at that General Meeting: In which Meeting, as every one who had a Mind got Acceſs, there were Numbers of Perſons preſent of known Diſſaffection to Our Government; and thus by ill Deſign upon their Part, and by the Timidity of others who were thus aſſembled in a tumultuous Manner, and a very improper Council with which to take Meaſures in a Time of immediate and preſſing Danger, the general Cry was given for ſurrendring the City, and giving up all Thoughts of making a Defence: And the ſaid *Archibald Stuart* thus held and took the Senſe of this Meeting, notwithſtanding that before he went to it, it was very well known that the Rebels were *ill armed*, and that an Offer had been made to him, in Aid of the other Forces with which the City was provided, to ſend one hundred out of two Regiments of Dragoons in Our Service, or as many of the Dragoons of thoſe Regiments as he ſhould deſire to aſſiſt in defending the City; but he refuſed to give his Conſent or Authority for receiving any of theſe *Dragoons*, though he had requeſted ſuch Party of Dragoons, about an Hour or two before in that ſame Day, by a *Writing* under *his Hand*, addreſſed to Lieutenant General *Joſhua Gueſt*, then in the Caſtle of *Edinburgh*. AND MOREOVER, at this Meeting, there was brought in and delivered to the ſaid *Archibald Stuart*, the *Letter* above-mentioned from the Pretender's Son; immediately, or ſoon after the receiving whereof, that Meeting was diſmiſſed, and he, with others of the Magiſtrates and Council, withdrew to the Council-Chamber, where (*which is the eighth Article* hereby charged upon him the ſaid *Archibald Stuart*) he cauſed or ſuffered the ſaid *Letter from the Pretender's Son* to be publickly read, and moved or agreed that an Anſwer ſhould be given to it, which was accordingly ſent, firſt by one, and then by another Deputation from the Council: All which *Intercourſe* was in him the ſaid *Archibald Stuart*, then Lord Provoſt, the more criminal, that any Danger or Neceſſity that might be alledged, in order to avoid the ſame, being puniſhable as HIGH TREASON, was owing in great meaſure to his own Backwardneſs to diſcharge his Duty, by taking all the proper Precautions againſt ſuch Danger, with that Fidelity and Vigour which he owed, by his Allegiance and his Station, to the City of *Edinburgh*, and to Us and the Kingdom. *Ninthly*, That all this while he the ſaid *Archibald Stuart* refuſed or neglected, tho' frequently applied to for that Purpoſe, to give any Orders to the *Volunteers* of the City of *Edinburgh*, who had been long ſtanding upon the Street under Arms, how or in what Manner they ſhould diſpoſe of themſelves, and employ theſe Arms, or how they ſhould diſpoſe of the *Arms*, if they were not to be uſed or employed for the Defence of the City, for which they had been firſt taken up; and upon ſuch his Refuſal or Neglect, the ſaid Volunteers took and executed the Reſolution to carry back their Arms to Our Magazine in the Caſtle of *Edinburgh*, in order to prevent the ſame from falling into the Hands of the Rebels. *Tenthly*, That on the Evening of the ſame *Monday* the ſixteenth of *September*, One thouſand ſeven hundred and forty five, he the ſaid *Archibald Stuart* refuſed or declined to give his Licence or Authority for a Party ſent by the ſaid Lieutenant-General *Gueſt*, or by Lieutenant-General *George Preſton* Governor of the Caſtle of *Edinburgh*, to remove or ſpike up the *Cannon* that were then planted upon the City-walls; and about the ſame time he the ſaid *Archibald Stuart* gave Orders to *Thomas Dalziel*, one of the Captains of the City-guard of *Edinburgh*, whoſe Turn it was to be on Duty that Night, to keep *Guard* with the uſual Compliment in peaceable Times, of one Third of the City-guard, or Company, and no more; and about the ſame time he the ſaid *Archibald Stuart* gave Orders to the Parties of the *Train'd-bands* of the City of *Edinburgh*, who had been upon Guard at the ſeveral Gates of the City, to quit their Poſts, and to diſpoſe of their *Arms* in ſuch Places, where they muſt be expoſed to fall into the Hands of the Rebels, as ſoon as they ſhould enter or become Maſters of the City. And *Eleventhly*, In the ſame Evening of the ſixteenth of *September*, One thouſand ſeven hundred and forty five, it was propoſed and urged in Council, where the ſaid *Archibald Stuart* was preſent and preſided, That the *whole City Arms*, being in Number about *Twelve hundred Firelocks and Bayonets*, ſhould be lodged and ſecured within the Caſtle of *Edinburgh*, in order to prevent their falling into the Hands of the Rebels; but he the ſaid *Archibald Stuart refuſed* or *declined* to give any *Order* for that Purpoſe, neither in Fact were the City-arms ſo lodged and ſecured, but were ſeized by the Rebels upon their entring the City the Day following, who came to *Edinburgh* ſo *imperfectly armed*, that the *Supply of Arms* which they *thus received*, appears to have been *one principal Cauſe* of the Diſaſter that befel our Forces near *Preſtonpans*, on the twenty firſt Day of the ſame Month of *September*, One thouſand ſe-

ven hundred and forty five. And *lastly*, By Occasion or Means of the several Instances above recited, and other Instances during the Time above mentioned, upon one or other of the Days of the Months of *August* or *September*, One thousand seven hundred and forty five, of the *Mi behaviour* of the said *Archibald Stuart* within the City of *Edinburgh*, of which he was then Lord Provost, it came to be very notoriously known, that he was *highly faulty and negligent* in the *Execution* of *his Office*, and to be further violently suspected and believed, amongst our faithful Subjects in that City, that he the said *Archibald Stuart* was *secretly* in the *Interest* of the *Pretender*, by reason of the Uniformity of his Behaviour from the Beginning to the End of these Transactions, discovering a constant Unwillingness or Backwardness to provide for, or heartily prosecute the Measures that were in a Manner forced upon him, in order to the Defence of that City, at a Time when, if he had observed a contrary Conduct, there was at least a high Probability that the City might have been preserved from falling into the Hands of the Rebels: And in Fact the same did fall into their Hands, in a very strange and suspicious Manner, by a Party of the Rebels entring the City at the *Netherbow* Port, early in the Morning of *Tuesday* the seventeenth of *September*, One thousand seven hundred and forty five, when that Port was guarded with nothing more than a Serjeant's Command of the City-guard, and was opened to suffer a Hackney-coach to go out, which had just returned from bringing back the second Deputation sent by the said *Archibald Stuart*, and other Magistrates and Counsellors of *Edinburgh*, to the Pretender's Son. ALL WHICH MISFORTUNES were in great Measure owing to the Misconduct of the said *Archibald Stuart*, and served to bring a heavy Calamity on the City of *Edinburgh*, and the Kingdom in general. AT LEAST, at the Time and Place foresaid, he the said *Archibal Stuart*, being Lord Provost of the City of *Edinburgh*, was highly faulty or negligent in the Execution of his Office, at a Time of publick Danger and open Rebellion against Us. AND for proving that the said *Archibald Stuart* was guilty as aforesaid, there will be produced against him by way of Evidence, besides very credible Witnesses, certain Documents in Writing, which shall be lodged in the Hands [illegible] Clerks to the Court of Justiciary, that he may see the same, and whereof a List shall be delivered to him along[illegible] the List of Witnesses to be adduced against him. ALL WHICH enormous Neglects of Duty and Misbehavio[illegible] Part thereof, or his being Art and Part of the same, being found proven against the said *Archibald Stuart* by the V[illegible]dict of an Assize, before Our Lords Justice-General, Justice-Clerk, and Commissioners of Justiciary, he the said *Archibald Stuart* ought to be punished with the Pains of Law, to the Terror of others to be guilty of the like in time coming. OUR WILL IS, &c. According to Justice, &c. Given under Our Signet at *Edinburgh* the fifteenth Day of *June*, in the twenty first Year of Our Reign, 1747.

Signet 17th *June* 1747.

*Ex deliberatione Dominorum Commissionariorum Justiciarii.*

ROBERT LEITH.

LIST of Witnesses to be adduced against the said *Archibald Stuart*, Merchant and late Lord Povost of *Edinburgh*.

George Drummond Esq; present Lord Provost of *Edinburgh*,
Archibald MacAulay Esq; late Lord Provost there,
John Wilson Merchant, late one of the Baillies there,
Gavin Hamilton Merchant, late one of the Baillies there,
Ja[illegible] Stewart Merchant, late one of the Baillies there,
James Stew[illegible] Merch[illegible] late one of the Baillies there,
Alexander Blackwood [illegible]
James Nimmo Esq; late one of the Baillies there,
Hugh Hathorn, late Dean of Guild there,
Robert Baillie Merchant, late one of the Baillies there,
James Grant Merchant, and present Town-Treasurer there,
Sir Robert Dickson Baronet,
Sir George Preston of *Valleyfield*.
Alexander Bruce of Kennet,
James Millar, Servant to the said Alexander Bruce,
The Honourable Mr. James Lesly Advocate, one of the Commissaries of *Edinburgh*,
Archibald Stevenson Writer in *Edinburgh*,
Andrew Bonar Merchant there,
Andrew Currie late Deacon of the Weavers there,
Nathan Porteous late Deacon of the Skinners there,
Patrick Lindsay, Depute Secretary to the Forces in *North-Britain*,
Ensign William Roberton of *Edinburgh* Castle,
Robert Griffith, one of the Gunners of the Castle of *Edinburgh*,
Joseph Mead, one of the Serjeants of the Castle of *Edinburgh*,
John Hislop, Store-keeper of the City of *Edinburgh*,
Alexander Dryburgh, Servant to the said John Hislop,
John Dalgleish Watch-maker in *Edinburgh*,
George Cunningham Surgeon there,
Baillie Bryden, Lieutenant of the Royal Regiment of Artillery,
Mr. Lewis Douglas Advocate,
Mr. John Tait, Doctor of Medicine in *Dalkeith*,
Richard Lindsay, late Baillie of *Musleburgh*,
Andrew Alvis, Writer to the Signet,
Alexander Scot, Merchant in *Edinburgh*,
Thomas Dalziel, one of the Captains of the City Guard of *Edinburgh*,
Alexander Cossar, one of the Soldiers of the City Guard there,
James Tait, Goldsmith in *Edinburgh*,
James Gillespy, Servant to the said James Tait,
Mr. William Wishart, Principal of the University of *Edinburgh*,
Mr. George Logan,
Mr. John Glen,
Mr. Alexander Webster, } all Ministers of the Gospel at *Edinburgh*,
Mr. William Robertson Minister of the Gospel at *Gladsmuir*,
William Forbes one of the Principal Clerks of the City of *Edinburgh*,
William Henderson Writer there,
James Murray Esq; Receiver-General of the Customs of *Scotland*,
James Paterson Tide-Surveyor of the Customs at the Port of *Leith*,
Mr. Robert Craigie of *Glendoick* Advocate,
Mr. Robert Dundas younger of *Arniston* Advocate,
Walter Grosset Collector of the Customs at *Alloa*,
Alexander Macmillan Writer to the Signet,
Anne Stewart, Relict of Mr. Colin MacLaurin Professor of Mathematicks in the College of *Edinburgh*,
George Dunbar Merchant late one of the Baillies of *Edinburgh*,
Mr. Joseph Williamson Advocate one of the Principal Town-Clerks of *Edinburgh*,
Robert Tenant Merchant in *Edinburgh*,
James Rattray Servant to Robert Fleming Printer in *Edinburgh*,
John Paxton Clerk to Archibald Stuart Esq; late Lord Provost of *Edinburgh*,
Helen Little Daughter to the deceast David Little of *Langholm*,
Robert Johnston one of the Soldiers of the City-guard of *Edinburgh*,
David Lind[illegible]riter in *Edinburgh*,
John Couts [illegible]e Lord Provost of *Edinburgh*,
Mr. Charles [illegible]e of *Edinshead* Advocate,
Dougal Ged Goldsmith in *Edinburgh*,
William Polson Vintner there,
Charles Frazer Merchant there,
Donald Mackay Cadie in *Edinburgh*,
Walter Orrock late Deacon of the Shoemakers of *Edinburgh*,
James Norrie Painter in *Edinburgh*,
John Yetts Merchant and sometime one of the Baillies there,
John Steven Merchant in *Edinburgh*,
David Inglis Merchant and sometime one of the Baillies there,
Edward Inglis Druggist there,
Robert Boyd Merchant there,
Alexander Crawford Baxter there,
Archibald Eagle Seed-merchant there,
Edward Caithness Merchant there,
Francis Jaffray Wigmaker there.

WILL. GRANT.

## *LIST of Writings to be produced for proving the Libel againſt the ſaid* Archibald Stuart.

1. Letter from the Pretender's Son, bearing Date from his Camp, 16th *September* 1745, addreſſed to the Lord Provoſt, Magiſtrates, and Council of *Edinburgh*.
2. Anſwer from the Pretender's Son to the firſt Deputation ſent by the Magiſtrates and Council, to his Camp.
3. Anſwer from *ditto*, to the ſecond Deputation from *ditto*.
4. Repreſentation by the Miniſters of *Edinburgh*, to the Lord Proyoſt, Magiſtrates and Council thereof, of Date 6th *September* 1745, in favour of the Deſign of putting the City in a proper Poſture of Defence.
5. Petition and Addreſs to the Lord Provoſt and Magiſtrates of *Edinburgh*, of certain Burgeſſes and Inhabitants of the City, offering to ſerve as Volunteers in Defence of the City, againſt the Rebels, with two Opinions of his Majeſty's Advocate and Solicitor thereto annexed, of Date 7th *September* 1745.
6. Application from the Lord Provoſt of *Edinburgh*, and his Majeſty's Advocate, and Solicitor to General *Gueſt*, on the 16th *September* 1745, for a Party of Dragoons to aſſiſt in Defence of the City.
7. Repreſentation of the Committee of Volunteers, to *Archibald Stuart* Lord Provoſt, without a Date, and unſigned, but found in the Cuſtody of *Archibald Stuart* when he was apprehended.
8. Repreſentation to the Lord Provoſt, Magiſtrates and Council of *Edinburgh*, of certain Inhabitants of the City thereto ſubſcribing, which bears no Date, but will be proved to have been preſented to the Provoſt on the 16th *September* 1745, and was found in his Pocket when he was apprehended.
9. Journal of what paſſed, relating to the Defence of *Edinburgh*, from *Monday September* 2d, till *Monday September* 16th, in the Hand-writing of the now deceaſt Mr. *Colin M'Laurin* Profeſſor of Mathematicks in the College of *Edinburgh*, and found amongſt his Papers after his Death.
10. Examination of *Archibald Stuart*, Eſq; the 7th *December* 1745, before a Committee of the Lords of his Majeſty's moſt Honourable Privy Council.

WILL. GRANT.

## *Liſt of Aſſize to paſs upon the Trial of the ſaid* Archibald Stuart *Merchant, and late Lord Provoſt of* Edinburgh.

SIR Charles Gilmer of *Craigmillar*,
Sir Alexander Nisbet of *Dean*,
William Baird of *Newbyth*,
Sir John Inglis of *Cramond*,
Sir Robert Myreton of *Gogar*,
William Keir Portioner of *Drumſheugh*,
James Rutherford of *Bulon*,
John Watſon of *Muirhouſe*,
John Cochran of *Alderſton*,
James Dewar of *Vogrie*,
John Preſton of *Gorton*,
George Warrander of *Bruntsfield*,
John Sivewright of *Meggatland*,
Archibald Brown of *Blackford*,
James Falconer of *Monktoun*,
Thomas Wood of *Wariſton*,
James Davidſon of *Haltree*,
Patrick Crichton of *Woodhouſlie*,
Robert Fiſher of *Newhall*,
Thomas Trotter Merchant in *Edinburgh*,
Thomas Dundas late Baillie and Merchant there,
John Paton Bookſeller there,
William Hog Merchant there,
James Farquhar Merchant there,
Alexander Herbert Merchant there,
John Brand Merchant there,
Hugh Clerk jun. Merchant there,
Alexander Peters Wright there,
David Clerk Wigmaker there,
John Osburn Merchant and late Provoſt there,
William Wight Baxter in *Edinburgh*,
William Ormiſton Copperſmith there,
Alexander Campbell Brewer there,
William Sands Bookſeller there,
John Home Coach-maker there,
Neil Macvicar Merchant there,
William Tod ſen. Merchant there,
James Mitchelſon Jeweller there,
Archibald Angus Merchant there,
Robert Fleming Printer there,
James Heriot Wright there,
James Stirling Merchant there,
Henry Antonius Wright there,
James Hunter Wright there,
Edward Lothian Goldſmith there,

AND. FLETCHER.
ALEX. FRASER.
HEW DALRYMPLE.
P. GRANT.